

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE INTEL CORP.  
MICROPROCESSOR ANTITRUST  
LITIGATION

MDL No. 05-1717-JJF

PHIL PAUL, on behalf of himself and all  
others similarly situated,

C.A. No. 05-485-JJF

Plaintiffs,

CONSOLIDATED ACTION

v.

INTEL CORPORATION,

Defendant.

**DEFENDANT INTEL CORPORATION'S MOTION TO DISMISS  
PLAINTIFFS' FOREIGN CONDUCT CLAIMS**

Defendant Intel Corporation respectfully files this motion to dismiss Class Plaintiffs' foreign conduct claims for lack of subject matter jurisdiction pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(h)(3) and the Foreign Trade Antitrust Improvements Act of 1982, 15 U.S.C. § 6a ("FTAIA"). In support of this motion, Intel relies upon the accompanying memorandum of law and supporting appendices.<sup>1</sup>

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<sup>1</sup> Certification Pursuant to Local Rule 7.1.1. Intel certifies that its counsel has contacted counsel for Class Plaintiffs about the attached motion and that Class Plaintiffs are opposed to the relief sought in the motion.

OF COUNSEL:

David M. Balabanian

James L. Hunt

Christopher B. Hockett

Nora C. Cregan

BINGHAM McCUTCHEN LLP

Three Embarcadero Center

San Francisco, CA 94111-4067

(415) 393-2000

Richard A. Ripley

BINGHAM McCUTCHEN LLP

2020 K Street, N.W.

Washington, D.C. 20006

(202) 373-6000

Dated: November 3, 2006

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POTTER ANDERSON & CORROON LLP

By: /s/ Richard L. Horwitz

Richard L. Horwitz (#2246)

W. Harding Drane, Jr. (#1023)

Hercules Plaza, 6th Floor

1313 North Market Street

P.O. Box 951

Wilmington, DE 19899-0951

(302) 984-6000

[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)

[wdrane@potteranderson.com](mailto:wdrane@potteranderson.com)

*Attorneys for Defendant*

*Intel Corporation*

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**CERTIFICATE OF SERVICE**

I, Richard L. Horwitz, hereby certify that on November 3, 2006, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

James L. Holzman  
J. Clayton Athey  
Eric M. Andersen  
Prickett, Jones & Elliott, P.A.  
1310 King Street  
Post Office Box 1328  
Wilmington, DE 19899

I hereby certify that on November 3, 2006 I have sent the documents by Electronic Mail to the following non-registered participants:

Michael D. Hausfeld  
Daniel A. Small  
Brent W. Landau  
Allyson B. Baker  
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 500, West Tower  
Washington, DC 20005  
[mhausfeld@cmht.com](mailto:mhausfeld@cmht.com)  
[dsmall@cmht.com](mailto:dsmall@cmht.com)  
[blandau@cmht.com](mailto:blandau@cmht.com)  
[abaker@cmht.com](mailto:abaker@cmht.com)

Steve W. Berman  
Anthony D. Shapiro  
Hagens Berman Sobol Shapiro, LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
[steve@hbsslaw.com](mailto:steve@hbsslaw.com)  
[tony@hbsslaw.com](mailto:tony@hbsslaw.com)

Michael P. Lehman  
Thomas P. Dove  
Alex C. Turan  
The Furth Firm LLP  
225 Bush Street, 15th Floor  
San Francisco, CA 94104  
[mplehmann@furth.com](mailto:mplehmann@furth.com)  
[tdove@furth.com](mailto:tdove@furth.com)  
[aturan@furth.com](mailto:aturan@furth.com)

Guido Saveri  
R. Alexander Saveri  
Saveri & Saveri, Inc.  
111 Pine Street, Suite 1700  
San Francisco, CA 94111  
[guido@saveri.com](mailto:guido@saveri.com)  
[rick@saveri.com](mailto:rick@saveri.com)

By: /s/ Richard L. Horwitz  
Richard L. Horwitz (#2246)  
W. Harding Drane, Jr. (#1023)  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6th Floor  
1313 N. Market Street  
Post Office Box 951  
Wilmington, DE 19899-0951  
(302) 984-6000  
rhorwitz@potteranderson.com  
wdrane@potteranderson.com